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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/621,715	07/24/2000	Hadi Partovi	418268600US1	8722
45979	7590	02/22/2008		
PERKINS COIE LLP/MSFT P. O. BOX 1247 SEATTLE, WA 98111-1247			EXAMINER ANWAH, OLISA	
			ART UNIT 2614	PAPER NUMBER
			MAIL DATE 02/22/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/621,715	Applicant(s) PARTOVI ET AL.	
	Examiner Olisa Anwah	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-57 is/are pending in the application.
- 4a) Of the above claim(s) 1-37, 43 and 51 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 38-42, 44-50 and 52-57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 38, 39, 45 and 55-57 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Roth, U.S. Patent No. 5,131,045 (hereinafter Roth) in view of Carter et al, U.S. Patent No. 4,608,460 (hereinafter Carter).

Regarding claim 38, Roth discloses a method in a voice response system for receiving input of a keyword, the method comprising:

providing a list of keyword characters, each keyword having an output utterance that is an audio representation of the keyword;

receiving from a user a key sequence with a key of the key sequence representing multiple characters;

identifying from the received sequence without other input from the user those keywords of the list whose initial characters match the possible characters of the received key sequence;

after identifying the keywords of the list that match,
outputting data corresponding to identified keywords;
prompting the user to select an identified keyword by speaking the output utterance corresponding to the keyword to be selected;

after outputting the data, inputting from the user an input utterance corresponding to one of the output utterances; and

recognizing the input utterance using a constrained recognition grammar that is constrained by the output utterances corresponding to the identified keywords such that the input utterance can only be recognized as one of the identified keywords (see Figure 2).

Further regarding claim 38, Roth does not explicitly teach the data is an output utterance. All the same, Carter covers this feature (see column 6). And so, it would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify Roth wherein the data is an output utterance as shown by Carter. This modification would have improved the system's user friendliness by informing the user of various matches.

Regarding claim 39, see Figure 2 of Roth.

Regarding claim 45, see Figure 2 of Roth.

Regarding claim 55, Roth discloses a voice response system that receives input of a keyword from a user, comprising:

- a component that provides a list of keywords of characters, each keyword having an output utterance that is an audio representation of the keyword;

- a component that receives from a user a key sequence with a key of the key sequence representing multiple characters;

- a component that identifies from the received key sequence without other input from the user those keywords of the list whose initial characters match the possible characters of the received key sequence;

- a component that, after identifying the keywords of the list that match, outputs data corresponding to identified

keywords and prompts the user to select an identified keyword by speaking the output utterance corresponding to the keyword to be selected; and

a component that, after outputting the data, inputs from the user an input utterance corresponding to one of the output utterances, and

a component that recognizes the input utterance using a constrained recognition grammar that is constrained by the output utterances corresponding to the identified keywords such that the input utterance can only be recognized as one of the identified keywords (see Figure 2).

Further regarding claim 55, Roth does not explicitly teach the data is an output utterance. All the same, Carter covers this feature (see column 6). And so, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Roth wherein the data is an output utterance as shown by Carter. This modification would have improved the system's user friendliness by informing the user of various matches.

Regarding claim 56, see Figure 2 of Roth.

Regarding claim 57, see columns 6 and 7 of Roth.

3. Claims 40-42, 44, 46-50 and 52-54 rejected under 35 U.S.C § 103(a) as being unpatentable over Roth combined with Carter in further view of McAllister et al, U.S. Patent No. 6,421,672 (hereinafter McAllister).

As per claim 40, the combination of Roth and Carter fails to show the utterances of the identified keywords are output in an order based on a weighting factor. Regardless, McAllister covers this feature (see column 4). For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Roth and Carter wherein the utterances of the identified keywords are output in an order based on a weighting factor as shown by McAllister. This modification would have improved the system's user friendliness by intelligently prompting the user for further information as suggested by McAllister (see column 2).

Regarding claim 41, the combination of Roth and Carter as modified by McAllister inherently teaches the claimed feature.

Regarding claim 42, the combination of Roth and Carter as modified by McAllister inherently teaches the claimed feature.

On the issue of claim 44, although Roth shows the key sequence is a dual tone multi-frequency (see Figure 2), the combination of Roth and Carter fails to show the utterances of the identified keywords are output in an order based on a weighting factor. Regardless, McAllister covers this feature (see column 4). For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Roth and Carter wherein the utterances of the identified keywords are output in an order based on a weighting factor as shown by McAllister. This modification would have improved the system's user friendliness by intelligently prompting the user for further information as suggested by McAllister (see column 2).

As per claim 46, neither Roth nor Carter shows the inputting from the user a selection of the utterances includes the user speaking an alphanumeric character associated with an utterance. All the same, McAllister teaches this limitation this limitation (see column 10). Consequently, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Roth and Carter wherein the inputting from the user a selection of one of the utterances includes the user speaking an alphanumeric character associated with an utterance as shown by McAllister. This modification would have improved the system's flexibility by providing an alternate selection means.

As per claim 47, neither Roth nor Carter shows the inputting from the user a selection of the utterances includes receiving from the user a selection of a key corresponding to the utterance. All the same, McAllister teaches this limitation this limitation (see column 10). Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Roth and Carter wherein the inputting from the user a selection of one of the utterances includes receiving from the user a selection of a key corresponding to the utterance as shown by McAllister. This modification would have improved the system's flexibility by providing an alternate selection means.

Regarding claim 48, Roth discloses a computer-readable medium encoded with instructions for controlling a voice response system to receive input of a keyword, by a method comprising:

providing a list of keyword characters, each keyword having an output utterance that is an audio representation of the keyword;

receiving from a user a key sequence with a key of the key sequence representing multiple characters, each key represented as a dual tone multi-frequency key;

identifying from the received sequence without other input from the user those keywords of the list whose initial characters match the possible characters of the received key sequence;

after identifying the keywords of the list that match,

outputting data corresponding to identified keywords;

prompting the user to select an identified keyword by speaking the output utterance corresponding to the keyword to be selected;

after outputting the data, inputting from the user an input utterance corresponding to one of the output utterances; and

recognizing the input utterance using a constrained recognition grammar that is constrained by the output utterances corresponding to the identified keywords such that the input utterance can only be recognized as one of the identified keywords (see Figure 2).

Further regarding claim 48, Roth does not explicitly teach the data is an output utterance. All the same, Carter covers this feature (see column 6). And so, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Roth wherein the data is an output utterance as shown by Carter. This modification would have improved the system's user friendliness by informing the user of various matches.

Again on the subject of claim 48, the combination of Roth and Carter fails to show outputting the utterances in an order based on a weighting factor for the utterances. Regardless, McAllister covers this feature (see column 4). For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Roth and Carter with outputting the utterances in

an order based on a weighting factor for the utterances as shown by McAllister. This modification would have improved the system's user friendliness by intelligently prompting the user for further information as suggested by McAllister (see column 2).

Claim 49 is rejected for the same reasons as claim 41.

Claim 50 is rejected for the same reasons as claim 42.

Regarding claim 52, see Figure 2 of Roth.

Claim 53 is rejected for the same reasons as claim 46.

Claim 54 is rejected for the same reasons as claim 47.

Response to Arguments

4. Applicant's arguments have been considered but are deemed to be moot in view of the new grounds of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is

reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned

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are 571-273-8300 for regular communications and 571-273-8300 for
After Final communications.

Any inquiry of a general nature or relating to the status
of this application or proceeding should be directed to the
receptionist whose telephone number is 571-272-2600.

OA

Olisa Anwah
Patent Examiner
January 11, 2008

Olisa Anwah


FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800